

# MEMO ENDORSED

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January 21, 2020

The Honorable Katherine Polk Failla, U.S.D.J.  
United State District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007  
[Failla\\_NYSDChambers@nysd.uscourts.gov](mailto:Failla_NYSDChambers@nysd.uscourts.gov)

*Re: Robert Onieal v. Christopher Onieal*  
*Civil Action No.: 1:19-CV-07789 (KPF)*

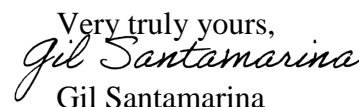
Dear Judge Polk Failla:

This office represents the plaintiff Robert Onieal in the above referenced matter. This letter is written to request an adjournment *sine die* of the Pretrial Conference scheduled for January 22, 2020 (previously adjourned from November 22, 2019). A copy of the Order adjourning the conference from November to January 22, 2020 is attached hereto for the court's convenience.

Defendant is in default, not having appeared in this action. To that end, Plaintiff requested, and the clerk of this Court issued, a Certificate of Default granting Plaintiff leave to move for a default judgment against the Defendant. A copy of the Certificate of Default signed December 27, 2019 is also attached hereto for the court's convenience.

Since the Certificate Default was issued, Plaintiff and Defendant have been discussing settlement. If an agreement to settle is reached by the January 30 deadline imposed by Plaintiff, this case will be settled. However, in the event that no settlement is reached by that date, Plaintiff plans to move shortly thereafter for a default judgment. Thus, either way, the case will be settled or a motion for a default judgment will be filed in the upcoming weeks thereby rendering moot the conference scheduled for January 22 2020.

Given the forgoing, Plaintiff respectfully requests that the Court grant the instant application.

Very truly yours,  
  
Gil Santamarina

Application GRANTED. The initial pretrial conference previously scheduled for January 22, 2020 is hereby ADJOURNED *sine die*.

Dated: January 21, 2020  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE